

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|-------------------------------------|---|-----------|
| RSG, INC., et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | 8:06CV507 |
| vs. |) | |
| |) | ORDER |
| SIDUMP'R TRAILER COMPANY, INC., |) | |
| |) | |
| Defendant. |) | |
| GEMINI INVESTORS III, L.P., et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | 8:09CV105 |
| vs. |) | |
| |) | ORDER |
| RSG, INC., et al., |) | |
| |) | |
| Defendants. |) | |

A consolidated status conference was held on April 15, 2009 in these related cases. Counsel participating were Steven Achelpohl and W. Patrick Betterman for RSG, Inc.; David J. Stubstad and Rebecca Zawisky for Sidump'r Trailer Co.; and Thomas Dahlk and Victoria Buter for Gemini Investors.

Case No. 8:09CV105 was recently transferred to this district from the District of Minnesota in conjunction with the motion of defendants Randall S. Golden, R Group, Inc. and RSG, Inc. to dismiss the complaint or, alternatively, to transfer venue (Doc. [11](#)). Since the motion was made in the alternative, it was not necessary for the Minnesota court to rule on the motion for dismissal when venue was transferred. Counsel advised the court that the matter of dismissal has been fully briefed and asked that the motion be renewed in this court.

IT IS ORDERED:

1. Due to the recent substitution of counsel in Case No. 8:09CV105 after the transfer to this district, the parties' Rule 16 planning conference is continued to **May 19, 2009 at 1:30 p.m.** Counsel for RSG, Inc. shall initiate the conference call to the court.

2. The Clerk shall amend the records of the court to show that the Motion to Dismiss filed by Randall S. Golden, R Group, Inc. and RSG, Inc. (Doc. [11](#) in Case No. 8:09CV105) is pending, and shall refer the motion to Judge Bataillon for resolution.

DATED April 15, 2009.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**